

COUNTY OF: NY DISTRICT ATTORNEY: ROBERT L. ARLEO, ESQ

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JOHN FEANE, ET AL
- against -
PHILLIPS & COHEN ASSOC, LTD., ET AL

Petitioner(s)
Plaintiff(s)
Respondent(s)
Defendant(s)

**AFFIDAVIT
OF SERVICE**

INDEX#
08 CV 6482

STATE OF: NEW JERSEY - COUNTY OF: UNION ss:

LUIZA DYMITRYSZYN, being duly sworn deposes and says deponent is not a party to this action, is over the age of 18 and resides in NJ.

That on date/time: 08/05/2008 03:30PM, at 695 RANOCAS RD. WESTAMPTON TWP. NJ 08060

deponent served the within: SUMMONS IN A CIVIL CASE, COMPLAINT

☐ Summons, Spanish summons & complaint, the language required by NRCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

On: PHILLIPS & COHEN ASSOC, LTD.

☐ Defendant ☐ Respondent ☐ Witness (hereinafter called the recipient) therein named.

INDIVIDUAL
A ☐ By personally delivering to and leaving with said PHILLIPS & COHEN ASSOC, LTD.
and that he knew the person so served to be the person mention and described in said SUMMONS IN A CIVIL CASE, COMPLAINT

CORPORATION
B ☒ By delivering to and leaving with ADAM COHEN
at 695 RANOCAS RD. WESTAMPTON TWP. NJ 08060
and that he knew the person so served to be the MANAGING AGENT of the corporation.

**SUITABLE
AGE PERSON**
C ☐ Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:
By delivering a true copy thereof to and leaving with _____
a person of suitable age and discretion at _____
the said premises being the recipient's ☐ Dwelling/Usual place of abode ☒ Actual place of business within the State of New York.

**AFFIXING TO
DOOR, ETC.**
D ☐ By affixing a true copy thereof to the door of said premises, the same being the recipient's
☐ Dwelling/Usual place of abode ☒ Actual place of business within the State of New York. Deponent had previously attempted to serve
the above named recipient on/at: 1. _____ 2. _____ 3. _____
Deponent spoke with _____ who stated to deponent that the said recipient(s)
lived at the aforementioned address, but did not know recipient's place of employment.

**MAILING TO
RESIDENCE**
E1 ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
to recipient's last known residence at _____
and deposited said envelope in an official repository under the exclusive care and custody of the US Postal Service
within New York State on 08/05/2008.

**MAILING TO
BUSINESS**
E2 ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
to recipient's actual place of business at _____
in an official repository under the exclusive care an custody of the US Postal Service within New York State. The envelope bore the
legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication
was from an attorney or concerned an action against the recipient and mailed on 08/05/2008.

F ☒ DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.
DESCRIPTION OF THE RECIPIENT OR OTHER PERSON SERVED OR SPOKEN TO ON BEHALF OF THE RECIPIENT IS AS:

VOID WITHOUT DESCRIPTION Use with A,B,C,D	<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14 - 20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
	<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21 - 35 Yrs.	<input type="checkbox"/> 5'0" - 5'3"	<input type="checkbox"/> 100 - 130 Lbs.
		<input type="checkbox"/> Yellow Skin	<input checked="" type="checkbox"/> Blonde Hair	<input type="checkbox"/> Moustache	<input checked="" type="checkbox"/> 36 - 50 Yrs.	<input type="checkbox"/> 5'4" - 5'8"	<input type="checkbox"/> 131 - 160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51 - 65 Yrs.	<input type="checkbox"/> 5'9" - 6'0"	<input checked="" type="checkbox"/> 161 - 200 Lbs.	
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input checked="" type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.	

Other identifying features: _____

WITNESS FEE
G ☐ Witness fee of \$0 the authorizing traveling expenses and one day's witness fee:
☐ was paid (tendered) to the recipient ☐ was mailed to the witness with subpoena copy.

**MILITARY
SERVICE**
[X] I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any
capacity whatsoever and received a negative reply. *Defendant wore civilian clothes and no military uniform.* The source of my
information and the grounds of my belief are the conversations and observations above narrated.

Subscribed and Sworn to me this

7 day of August, 2008

Notary Signature: _____

Name of Notary JACKELINE GONZALEZ
NOTARY PUBLIC OF NEW JERSEY
Commission Expires Dec. 7, 2010

I, LUIZA DYMITRYSZYN,
was at the time of service a competent adult
not having a direct interest in the litigation.
I declare under penalty of perjury that the
foregoing is true and correct.

Signature of Process Server
Date 8/7/2008

G.P.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

JOHN FEANE, an individual; and ANN MARIE
FEANE, an individual

SUMMONS IN A CIVIL ACTION

V.

PHILLIPS & COHEN ASSOCIATES, LTD.,
ADAM S. COHEN, MATTHEW M. PHILLIPS et al

CASE NUMBER:

08 CIV. 6482

TO: (Name and address of Defendant)

PHILLIPS & COHEN ASSOCIATES, LTD.
695 Rancocas Road
Westampton, New Jersey 08060

JUDGE ROBINSON

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ROBERT L. ARLEO, ESQ.
164 Sunset Park Road
Haines Falls, NY 12436
Telephone: (518) 589-5264
Facsimile: (518) 751-1801

Attorney for the Plaintiffs

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

CLERK

(By) DEPUTY CLERK

DATE

JUL 21 2008